

REMARKS

Claims 11-24 and 32-50 currently remain in the application. Claims 11, 14, 21 and 32 have been amended for the purposes of clarification. Claims 1-10 and 25-31 have been cancelled without prejudice to prosecution in a related application. Claims 51-60 have been added.

Rejections under 35 U.S.C. § 103

The examiner rejected claims 1-5, 8, 11-18, 20, 25-32, 38-40, 43-46 and 48 under 35 U.S.C. § 103 as being unpatentable over Weiss et al US Patent No. 6,364, 769 in view of Ahmad US Patent No. 5, 925, 127 and in view of B. Schneier (Applied Cryptograph). The rejection is respectively traversed.

The Examiner relies on B. Schneier to teach cryptographic techniques.

The Examiner relies on Weiss to teach the components of a gaming machine providing wagering. As noted by the Examiner, Weiss doesn't teach or suggest the licensing of games. In Weiss, the games are stored on a read-only memory device, such as an EPROM (see at least Background, Col. 4:66-Col. 5:2, Col. 7: 1-20, FIG. 6). Weiss states, the critical gaming functions are stored in and executed directly from the read only memory 68 which is not alterable through any use of circuitry or programming of the gaming device itself and are verifiable as to content independent of any function of the gaming device 100 (Col. 7: 15-19). The critical gaming functions, such as determining a game outcome, wagers, etc. are described in Col. 7:20-50. Weiss also states, the critical gaming functions are portioned from other functions by executing critical gaming functions on the second processing area. Any component required to be uniquely controlled by the critical gaming functions are preferably not accessible by other functions stored or executed from the alterable media (Col. 7:40-52). Thus, in Weiss, the gaming software is non-alterable and isolated from the rest of the components of the gaming machine.

The Examiner relies on Ahmed to teach licensing techniques. Ahmed teaches a method and system for monitoring the use of a rented software program module. The system allows a user to download software and use it for a short period of time on their computer. Rented software is downloaded from an Internet site with a Check-in/Check-out (CICO) module and a Software Monitor module. The CICO module provides required licensing information for the rented software program module (Abstract). In Col. 10:31-38 of Ahmad, it states, "It should be understood that a CICO module is downloaded each time a program module is rented or renewed. The CICO module must be run on the User's computer prior to running the rented program module on the user's computer."

Claims 11-20 and 32-60, as amended, recite limitations, such as "determining license data is needed for the game chance while the game of chance is available for game play on the gaming machine" and "generating a game license request message to request the license data."

The combination of Weiss, Ahmed and Schneier doesn't teach "determining license data is needed for the game chance while the game of chance is available for game play on the gaming machine" and then "generating a game license request message to request the license data." Weiss or Schneier don't teach licensing.

In Ahmed, the device determines whether the rented software is available for use or not available for use. When the rented software is not available for use, its access is denied on the device until a new license is obtained which always requires a download of the CICO module. Ahmed doesn't teach or suggest "determining license data is needed for the game chance while the game of chance is available for game play on the gaming machine" and then "generating a game license request message to request the license data."

In addition, Applicant asserts the combination of Weiss and Ahmed would be inoperable to perform the function intended by the Examiner. The method in Ahmed requires a download of at least a CICO module each time software is rented or renewed to monitor the rented software. Weiss doesn't permit downloading of software, such as games, as described in Ahmed.

The purpose of the CICO is to deny access to software once a license has expired. Thus, if this function was applied to the game software of Weiss, game play would be stopped when a license for a game expired which would alter the critical gaming functions in Weiss i.e., denying game play. However, all critical gaming functions in Weiss are stored on a non-alterable memory to prevent alteration of the gaming functions. Thus, according to Weiss, a downloaded CICO wouldn't be permitted because it would alter the critical gaming functions. In addition, Weiss teaches the critical gaming software is stored on non-alterable memory and isolated from the rest of the system so that gaming functions can't be altered. Thus, supposing a download of a CICO was allowed in Weiss, the CICO wouldn't be able to monitor or access the game software for the purposes of licensing because this capability is not permitted in Weiss. Therefore, for at least these reasons, Applicant believes the combination of Weiss, Ahmed and Schneier can't be said to render obvious claims 11-20 and 32-60.

The examiner rejected claims 21-24 under 35 U.S.C. § 103 as being unpatentable over Weiss et al US Patent No. 6,364, 769 in view of Ahmad US Patent No. 5, 925, 127 in view of B. Schneier (Applied Cryptography) in further view of Peterson (6, 052, 512). The rejection is respectively traversed.

As described above, Applicant asserts the combination of Weiss, Ahmad and Schneier is improper. Examiner relies on Peterson for report generation for students playing a game. Peterson doesn't provide any reference to casino type gaming machines or any motivation for applying its teachings to casino type gaming machines. Weiss doesn't describe any motivation for providing gaming reports at a casino type gaming machine.

One advantage of the present invention, as described in the specification, is that for a remotely located gaming machine, such as in a convenience store, a gaming report for that machine or a nearby machines can be obtained via the gaming machine through a connection

with a remote server. As an example, for the purposes of explanation only, the gaming report, depending on what information it includes, may be used by an operator to assess the performance of their investment. Thus, the operator can learn about the performance of the gaming machine without having to maintain a separate computing device with complicated accounting software to determine machine performance. Further, since the software is executed on the remote server, it requires minimal changes to the gaming machine software, which is highly regulated. None of the references in the combination cited by the Examiner remotely teach or suggest any of these gaming specific issues related to generating a game report at a gaming machine. Therefore, for at least these reasons, Applicant asserts the combination is improper for establishing a case of prima facie obviousness and can't be said to render claims 21-24 obvious.

The examiner rejected claims 6-7, 38, 41-42 and 47 under 35 U.S.C. § 103 as being unpatentable over Weiss in view of Ahmad US Patent No. 5, 925, 127 in view of B. Schneier (Applied Cryptography) in further view of Peterson (6, 052, 512). The rejection is respectively traversed.

The combination of Ahmad, Schneier and Peterson can't be said to teach or suggest the present invention because it does not describe any limitations related to wagering on games of chance on a gaming machine as are recited in the remaining claims because wagering on games of chance, methods and associated hardware are not described in these references. Weiss is added to the combination to overcome these deficiencies. Nevertheless, for the reasons cited above, Weiss doesn't overcome the limitations recited in the present invention in regards to gaming nor does it teach or suggest the limitations. Therefore, the combination of Ahmad, Schneier, Weiss and Peterson can't be said to render obvious claims 6-7, 38, 41-42 and 47 and the rejection is believed overcome thereby.

The examiner rejected claims 9-10 and 49-50 under 35 U.S.C. § 103 as being unpatentable over Weiss in view of Ahmad US Patent No. 5, 925, 127 in view of B. Schneier (Applied Cryptography) and in further view of Boesch (6, 125, 185). The rejection is respectively traversed.

The combination of Ahmad, Schneier and Boesch can't be said to teach or suggest the present invention because it does not describe any limitations related to wagering on games of chance on a gaming machine as are recited in the remaining claims because wagering on games of chance, methods and associated hardware are not described in these references. Weiss is added to the combination to overcome these deficiencies. Nevertheless, for the reasons cited above, Weiss alone or in combination doesn't overcome the limitations recited in the present invention in regards to gaming nor does it teach or suggest the limitations. Therefore, the combination of Ahmad, Schneier, Weiss and Boesch can't be said to render obvious claims 9-10 and 49-50 and the rejection is believed overcome thereby.

The examiner rejected claims 33-35 under 35 U.S.C. § 103 as being unpatentable over Weiss in view of Ahmad US Patent No. 5, 925, 127 in view of B. Schneier (Applied Cryptography) and in further view of La Due (5, 999, 808). The rejection is respectively traversed.

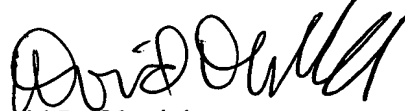
The combination of Ahmad, Schneier can't be said to teach or suggest the present invention because it does not describe any limitations related to wagering on games of chance on a gaming machine as are recited in the remaining claims because wagering on games of chance, methods and associated hardware are not described in these references. Weiss is added to the combination to overcome these deficiencies. Nevertheless, for the reasons cited above, Weiss doesn't overcome the limitations recited in the present invention in regards to gaming nor does it teach or suggest the limitations. LaDue describes wagering type gaming machines. However, LaDue does not teach or suggest the limitations related to the master gaming controller in the present invention nor does LaDue describe any motivation for making the modifications suggested by the limitations of the present invention. Therefore, the combination of Ahmad, Schneier, Weiss and LaDue can't be said to render obvious claims 33-35 and the rejection is believed overcome thereby.

The examiner rejected claims 36 under 35 U.S.C. § 103 as being unpatentable over Weiss in view of Ahmad US Patent No. 5, 925, 127 in view of B. Schneier (Applied Cryptography) and in further view of Colosso (6, 169, 976). The rejection is respectively traversed.

The combination of Ahmad, Schneier and Colosso can't be said to teach or suggest the present invention because it does not describe any limitations related to wagering on games of chance on a gaming machine as are recited in the remaining claims because wagering on games of chance, methods and associated hardware are not described in these references. Weiss is added to the combination to overcome these deficiencies. Nevertheless, for the reasons cited above, Weiss doesn't overcome the limitations recited in the present invention in regards to gaming nor does it teach or suggest the limitations. Therefore, the combination of Ahmad, Schneier, Weiss and Colosso can't be said to render obvious claim 36 the rejection is believed overcome thereby.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read 'David P. Olynick', written in a cursive style.

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